THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.60 OF 2006

03.3.2006

Between:

The Gram Panchayat, Kuntloor, represented by its Sarpanch

… Petitioner

AND

The District Collector, Ranga Reddy District at

Lakdi-ka-pool, Hyderabad

And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.60 OF 2006

ORDER:

Gram Panchayat, Kuntloor represented by its Sarpanch filed the instant writ petition seeking a direction to the respondents to approve and finalise the tenders as per letter of the petitioner dated 30.11.2005. It is the case of the petitioner gram panchayat that on 27.1.2005 respondents sanctioned as many as sixteen works to be taken up by the gram panchayat. The sarpanch then called for tenders by displaying notice in the notice board of the office of gram panchayat. The tenders were finalized on 11.11.2005 and were sent to the Divisional Panchayat Officer, the third respondent herein, for approval. The same was not approved, compelling the petitioner to make a representation to the second respondent, in vain.

When the matter was listed before this Court on 03.1.2006, while admitting the writ petition this Court observed that pendency of the writ petition does not preclude the Executive Engineer (Panchayat Raj) to consider the tenders submitted by gram panchayat and take appropriate decision in the matter. When the matter is called today, the learned Assistant Government Pleader for Panchayat Raj has placed

before this Court the original file from the office of the first respondent, which would show that the first respondent by proceedings bearing No.A4/3966/2005 dated 30.12.2005 cancelled the tenders on the ground that the tenders were finalized without publishing in daily newspapers and without following the procedure laid down in G.O.Ms.No.441 dated 10.2.2002. The Sarpanch was further directed to follow the rules and call for fresh tenders. A copy of the said proceedings was also placed on record.

As the petitioner filed the writ petition seeking a direction to the respondents to consider the tenders and pass appropriate orders and the orders were passed before filing of the writ petition, the writ petition is misconceived. It shall, however, be open to the gram panchayat to call for fresh tenders in accordance with the procedure as directed by the District Collector.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

March 03, 2006

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